



ITW

TO: Mr. David Bagnell,
Supervisory Patent Examiner
Art Unit 3672

03/10/06

FROM: Michael Gondouin
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RE: Application/Control number: 716,064

Dear Mr. Bagnell,

Please find enclosed the Submission (without Claims 43 to 67, previously FAXed to you), which I addressed to the Commissioner of Patents, for distribution to Examiner Stephenson.

I believe that all the objections raised by Examiner Stephenson have now been addressed, in the Examiner's order:

1. It is true that I am unfamiliar with the New Rules of the PTO, but, over the years I, for me or for my employer, have been granted more than 15 Patents, including one Re-issued with more than 200 claims,

2 and 3. a 150 words Abstract has been provided,

4. the Prior Art Drawings have been properly designated, 1A, 1B, 1C,
- I have ordered from SPE the Reference to SPE Paper 21779 (16 years old, and hard to find) from which FIG. 1C has been copied, (I had never been told that any Reference Source, other than US and Foreign Patents, had to be provided by the Applicant),

5. submitted "Replacement Sheets" have been labeled and provided, for 5 drawings (the 3 of Prior Art, plus a new FIG. 3A. It shows the super-insulation layers of both thermal barriers and the 4 Flow-compartments in the Apparatus, in vertical cross section.

The same 4 compartments, and their cable links in the corrected horizontal cross section of FIG. 6, also submitted, shows the Third Flow-compartment and its fiber-optic, or electronic, cables linking sensors downhole (not shown) to the well-head. This is the hardware required by the "brain" of this "smart-well".

6. similar "Replacement Sheets" have also been labeled on 7 pages of the disclosure, in order to conform with:

- the numbering of the re-numbered and new or corrected drawings, which are cited in 4 pages of the disclosure, Pages 2, 3, 4 and 10
- a concise definition of the "Super-Insulation", 3 lines on Pages 3 and 4,
- a one line introduction of FIG. 3A on Pages 9 and 14,
- 3 lines for a comparison of FIG. 3 and 3A.

Claims 43 to 67, FAXed to you, have been quickly drafted with the help of a Patent Attorney. They do define this invention, but could certainly be improved, with the Examiner's substantial advice and cooperation.

I hope that Examiner Stephenson now understands that his suggestion that the combination of my 275 Prior Art with the Ellis Patent would NEVER do any of the complex heat transfers between the streams

in our 4 Flow-compartments, which are at the basis of this invention. (Please note that the outer compartment in FIG. 1B, filled with a stagnant, thixotropic, mud is NOT a Flow-compartment, but only a very crude, low-grade, thermal insulation)

Our Company is, currently, in the middle of Phase 2 of a difficult DOE-SBIR Research Project, together with Stanford University, our sub-contractor, which has already proven that the super-insulation, as defined, is quite achievable...

The steady-state operation of our apparatus, easy to calculate, has shown that it is easy to balance it, but that transient perturbations, downhole, or drift, are to be expected, and remedied by a computer's pro-active control, at the well-head, with an appropriate software ... but this last aspect of our problem does not belong to an apparatus.

It will be addressed separately.

It would be highly detrimental to our Small Company to get into Phase 3 of our DOE Project, with Large Oil Companies involved, without any Patent protection at the end of nearly 3 years of hard work...even if a few of the new "PTO rules" have still been mis-understood by us.

Thank you for your assistance, in avoiding rejection of a Patent application, which may have a very detrimental impact on our Energy supply.



Michael Gondouin



PTO/5B/21 (02-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/716,064	
	Filing Date	11/17/2003	
	First Named Inventor	Michael Gondouin	
	Art Unit	3672	
	Examiner Name	Daniel P. Stephenson	
Total Number of Pages in This Submission	63	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) FIG. 3A, FIG. 6 + 3 from Prior Art Licensing-related Papers 1A, 1B, 1C. <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Condensed Abstract of 150 words
Remarks - 7 pages Corrected: Pages 2, 3, 4 Pages 9, 10, 14, 19 of the Specification - 5 sheets of Drawings Replaced: FIG. 1A, FIG. 1B, FIG. 1C, FIG. 3A, FIG. 6 34 Pages of Specification (Total) 23 Claims, 20 for Apparatus, 3 for Method		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Michael GONDOUN	
Signature		
Date		

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Michael GONDOUN
Signature	
Date	03/10/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

In Response to Office Action Summary
of 02/16/06